

Forces and those who are in their duma and those who keep pushing this war that is caused by one man, Vladimir Putin—these abhorrent war crimes which continue to go on—accountable. It is a war of choice that Putin has decided to place on Ukraine.

That is why, Madam Speaker, I am so proud to partner with MIKE MCCAUL in bringing H.R. 7276 to the floor today so that my children, my grandchildren, my great-great-grandchildren, will know how I stood at this time in history and how the United States Congress stood at this time in history.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. JACKSON LEE). The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, H.R. 7276, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. MEEKS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1315

#### RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-284 AND AN ACCOMPANYING RESOLUTION

Mr. RASKIN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1023 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1023

*Resolved*, That if House Report 117-284 is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol: (a) all points of order against the report are waived and the report shall be considered as read; and (b)(1) an accompanying resolution offered by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol shall be considered as read and shall not be subject to a point of order; and (2) the previous question shall be considered as ordered on such resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided among and controlled by Representative Thompson of Mississippi, Representative Cheney of Wyoming, and an opponent, or their respective designees.

The SPEAKER pro tempore (Mr. WELCH). The gentleman from Maryland is recognized for 1 hour.

Mr. RASKIN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER), pending which I yield myself such time as I may consume. During consideration of this resolution,

all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. RASKIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on Monday, the Rules Committee met and reported a rule, House Resolution 1023. The rule provides for consideration of the resolution accompanying House Report 117-284 under a closed rule if the report is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol. The rule provides 1 hour of debate equally divided among and controlled by Chairman THOMPSON, Vice Chair CHENEY, and an opponent.

Mr. Speaker, if 90 percent of success in life is just showing up, then 90 percent of acting in contempt of Congress is not showing up by failing to respond to multiple subpoenas you have been lawfully served. The rest of contempt is not turning over documents you have been ordered to produce and acting with open disregard and scorn for the rule of law, Congress, and representatives of the American people.

Neither Dan Scavino nor Peter Navarro has shown up in response to repeated congressional subpoenas. They have blown us off completely.

Neither Mr. Scavino nor Mr. Navarro has produced a single document or offered 1 minute of testimony in response to the subpoenas sent by the House of Representatives.

While more than 800 Americans have come forward voluntarily or properly responded to congressional subpoenas, which are orders under penalty of law, saying you must show up to testify under oath and invoke any asserted privileges in person, Scavino and Navarro have followed Steve Bannon and are acting as if they are way too busy and way too important to bother with the mere United States House of Representatives. They think that having worked for a former President of the United States excuses them from complying with lawful orders.

This is clearly false; this is clearly wrong; and we must make an emphatic statement about it today.

Mr. Speaker, I ask America to consider this: If your son or daughter were subpoenaed to come testify before the Congress of the United States, would you advise them to sit home on the couch and blow it off? I know I wouldn't.

Every year, thousands of Americans are held in criminal contempt for ignoring their legal obligations to comply with a lawful subpoena issued by courts or legislative bodies.

Here in the District of Columbia, you can be sent to jail for 6 months and

fined \$1,000 for acting in contempt of a subpoena and not showing up. We have checked on multiple days and found, on any given day, 7, 8, 10, or a dozen people are being found guilty of contempt in the courts of the District of Columbia.

That is the exact same criminal offense that Mr. Scavino and Mr. Navarro committed, and that is the exact same penalty they are facing for their misconduct.

Each of these witnesses was given ample and repeated opportunities to comply, opportunities that continue to this day. Yet, they openly and brazenly flout the authority of the Congress and mock their own personal duty to comply with the rule of law.

Legal contempt exists for those who act with open disregard or disobedience of the law, especially when acting with scorn for the authority of government. It exists precisely for cases like this.

Here is what has happened with Mr. Scavino. In September of last year, the committee issued its first of three subpoenas. We asked him to come testify before us on October 15, 2021, last year.

When he could not be found to actually accept service of the first subpoena, we issued a second subpoena, asking him to appear before the committee on October 28, 2021. He told the committee that wasn't enough time for him; he needed 1 extra week.

We generously gave him a week, and we set a third deposition date of November 4, 2021, but he didn't come on November 4 either. Instead, he requested another extension.

Bending over backward to accommodate this witness, we set a fourth deposition date of November 12, 2021. Still, that wasn't enough time for him.

We acted in good faith again, and assuming he was acting in good faith, we set a fifth deposition date of November 19. When that day arrived, did he finally show up to do his civic duty? No, he did not. Instead, he waited until the eve of the deposition and then, for the first time, challenged the service of the subpoena.

Out of an abundance of deference and caution, and to make every effort to demonstrate the respect for the rule of law that Scavino was not showing, we issued yet a third subpoena inviting him to come testify before us once again on December 1, 2021.

Finally, with Scavino completely out of excuses and the committee out of patience, his final deposition date of December 1 arrived, and he simply did not show up.

Six times this committee invited Scavino to testify, and six times he stood us up. He stood the American people up. He refused to testify before Congress about what he knows about the most dangerous and sweeping assault on the United States Congress since the War of 1812, which was by a foreign power.

But even after he failed to show up in December, the committee held an open door for Mr. Scavino to come in and

testify. But in the more than 6 months since the committee's first subpoena was sent to him, he has never once come in to speak with us. He has not given us a single document, Mr. Speaker.

It is the same basic story with Mr. Navarro. On February 9, we issued him a subpoena to produce documents on February 23 and to testify on March 2. There have been repeated evasions and contortions by the witness since then.

Generous accommodations have been offered by the committee, all of it leading to nothing but his open contempt and mockery for this process and for the rule of law. He never showed up, and he never produced a single document.

When more than 800 Americans have voluntarily testified and complied with the subpoenas rendered by our committee, the witnesses have nothing but excuses for their noncompliance, excuses you would not accept from a teenage child.

Navarro says he wants us to send him written interrogatories, and he will answer his questions in writing. Wouldn't that be nice? Any witness to a car accident, a murder, an assault, or an insurrection in the land would love not to have to answer actual questions under sworn oath, but that is not how our system works.

The word "subpoena" means "under the penalty of law." "Sub" means under; "poena" means "penalty of law." Under the penalty of law, you show up and you answer questions in the United States of America. If you think you have a legal privilege excusing you from answering questions, you assert your privileges under oath, at the time of questioning that you show up, to specific questions, whether it is the attorney-client privilege; the Fifth Amendment privilege against self-incrimination, which a number of witnesses have asserted before our committee, as it is their legal right to do; the priest-penitent privilege; or the executive privilege.

The Court has been clear. The Supreme Court has been clear. If you think you have one of these privileges, you show up and you assert it to the specific questions being asked to you. But the privilege against self-incrimination, the executive privilege, the marital privilege, none of these is a magic wand that you can wave from your sofa and not show up under a subpoena to a lawful proceeding.

But Navarro continues to mutter the words "executive privilege," as if it is some kind of magic wand that would keep him from ever having to testify about anything, like Harry Potter's invisibility cloak. He even says, repeatedly, the executive privilege is not mine to waive, which is high comedy, Mr. Speaker, because it is not his to waive, which means, by definition, it is not his to invoke in the first place.

We know it is not his to invoke. The Supreme Court has been clear about this, too. The executive privilege be-

longs to the President of the United States of America, the actual President. President Biden has specifically decided not to invoke executive privilege in Navarro's case or in Scavino's case.

Yet, Navarro says the executive privilege here belongs to ex-President Donald Trump, which is not only extremely dubious but totally irrelevant.

It is dubious because the Supreme Court just rejected a claim by Donald Trump himself, in *Trump v. Thompson*, that his materials were protected from disclosure to the January 6th Select Committee in Congress by executive privilege.

Even if Trump were still the President, the Court essentially said there is an overwhelming public interest in these materials that dwarfs whatever dubious interest in executive secrecy may linger. So the claim would fail, even if President Joe Biden were himself here to assert it on behalf of Navarro and Scavino.

But Navarro's attempt to stand above the law by mentioning Donald Trump's name is also completely irrelevant. Why? Everyone, please take note of this: Because Donald Trump has never even asserted the executive privilege to cover Peter Navarro, not once. We have received no communication from Donald Trump, either directly or indirectly from Navarro, showing that Trump is trying to exercise an executive privilege claim, which is doomed to failure anyway under the logic of the decision just rendered by the Supreme Court.

Mr. Speaker, so what do we have? Two guys in the District of Columbia blowing off a congressional investigation and subpoenas into a deadly insurrection, which caused multiple deaths; inflicted brutal, savage injuries on 150 of our officers, who ended up with broken jaws, necks, vertebrae, noses, traumatic brain injuries, post-traumatic stress syndrome; and interrupted Congress from executing its constitutional duties of counting electoral college votes for the very first time in American history—oh, yes. And it nearly succeeded in overthrowing the 2020 Presidential election and toppling the peaceful transfer of power, perhaps for all time, as United States District Court Judge Carter wrote in a blistering opinion last week, rejecting this exact same and equally ridiculous claim of John Eastman, who helped cook up the absurd legal camouflage for this attempted coup in the first place against the American constitutional system of government.

The gentlewoman, I think, said something about the Russian hoax or Russian collusion. I accept the heckling, Mr. Speaker. That is all right because if she wants to continue to stand with Vladimir Putin and his brutal, bloody invasion against the people of Ukraine, she is free to do so.

We understand there is a strong Trump-Putin axis in the gentlewoman's party. If she wants to con-

tinue to stand with Vladimir Putin and Donald Trump, that is her prerogative, but please do it on her own time forthwith.

Mr. Speaker, I reserve the balance of my time.

□ 1330

Mr. RESCHENTHALER. Mr. Speaker, I thank the gentleman from Maryland for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, the rule before us today provides for consideration of a resolution holding Peter Navarro and Daniel Scavino in contempt of Congress.

From the very beginning, the select committee has been nothing more than a partisan tool used by House Democrats to attack their political opponents. Time and time again, they have run roughshod over our Constitution and they have run roughshod over the very rules of this institution. And to what end? To advance their own political agenda.

We need look no further than the resolution establishing the committee to see their complete disregard for this Chamber. House Resolution 503 states the Speaker shall appoint 13 members, five of whom shall be appointed after consultation with minority leaders. Neither of those "shall" clauses have been met.

While this may seem insignificant to my colleagues across the aisle, it is certainly of consequence to the courts. Let's talk about some case law.

*Yellin v. United States*. There the Court reversed the conviction of contempt of Congress because a congressional committee failed to adhere to its own rules. The Court explained, "The committee prepared the groundwork for prosecution in *Yellin's* case meticulously." Yet, "It is not too exacting to require that the committee be equally meticulous in obeying its own rules." I suggest to my Democratic colleagues, heed those words.

As a former Navy JAG, I am deeply troubled by the committee's treatment of Mr. Scavino, including clear due process violations. The select committee repeatedly demanded almost immediate responses from Mr. Scavino, while waiting for weeks—weeks—to provide responses to his correspondence.

Further, the select committee has shown complete disregard for Mr. Scavino's legal duty, his legal duty to invoke the executive privilege, which he was instructed to do by President Trump. There is no legal authority that the incumbent President is the final arbiter as to whether executive privilege may be asserted for congressional testimony of close aides to a former President.

The Presidential Records Act applies only to Presidential records within control of the National Archives. That is it. It is a very narrow statute. That act does not control whether testimony can be given.

Let's talk about some more case law. *United States v. Nixon*. The Supreme Court held in that case, "Communications between a President and his closest aides are entitled to a presumption of privilege of confidentiality which can be overcome only by a particularized showing of a need in a criminal case." I want to emphasize criminal case. This is not a criminal case.

Finally, the select committee initially provided Mr. Scavino with 15 topics which they wanted to discuss. That list later grew to 33. The select committee then went so far as to place the onus on Mr. Scavino, saying that it is his responsibility to "identify the specific topics outside the scope of his asserted privilege."

As I am sure my friend across the aisle knows, and any lawyer on the other side of the aisle knows, the burden is not on the subject of the deposition to identify the topics on which they can be questioned. The Supreme Court found—and here is some more case law—in *Watkins v. United States*, the Supreme Court found in that case, "... a person compelled to testify is entitled to have knowledge of the subject to which the interrogation is deemed pertinent. . . ."

If the select committee wanted to conduct a legitimate investigation, they would not be rushing to hold Mr. Scavino in contempt after imposing unreasonable and unattainable timelines, ignoring legitimate assertions of a privilege, and then refusing legitimate accommodations.

It is clear the resolution before us today is not about a witness' refusal to testify or refusing to comply with a congressional subpoena. This is all about Democrats' need to further their partisan agenda.

I urge my colleagues to vote "no" on the previous question and vote "no" on the rule. Madam Speaker, I reserve the balance of my time.

Mr. RASKIN. Madam Speaker, I yield myself such time as I may consume.

This is not a partisan investigation. We were created under House Resolution 503 after, I am afraid, the gentleman and his colleagues voted to thwart a totally bipartisan, independent outside commission made up of five Democrats and five Republicans with equal subpoena power simply because Donald Trump exercised his veto within the Republican Party; the same Donald Trump who calls the madman, mass murderer, Vladimir Putin, a genius, but we know we have some people echoing all of Trump's complicity with Vladimir Putin from the Georgia delegation back there.

This is a bipartisan committee. It is the only committee I am aware of that has a Democratic chair in a Democratic-controlled House of Representatives and a Republican vice chair, Ms. CHENEY, who was the head of the GOP Conference. She was the head of the House Republican Conference, now the vice chair of this committee, and they call it a partisan exercise.

The second point I need to make is that executive privilege must be asserted by the President. This one isn't even asserted by the former President. It is just somebody going in and saying, "I have got an executive privilege."

Is that really the precedent that my colleagues want to set, Madam Speaker? I mean, that is pretty astonishing if that is the position that they are taking.

Madam Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCANLON), my very distinguished colleague.

Ms. SCANLON. Madam Speaker, it has been said before, but ours is a country of laws, not men, and in our democratic Republic, the voters choose who leads, not a dictator, and not a monarch.

But in the wake of the 2020 election, a small group of people decided to reject the rule of law and the will of the voters. They rejected the unanimous conclusion of the courts, the Department of Justice, Homeland Security, and law enforcement and election officials across the country. They tried to pervert the law and throw away the free choice of the people. On January 6, their plan almost worked.

As the select committee investigates what happened that day, and how it can be prevented from ever happening again, over 800 witnesses have come in to share what they know because that is what should happen in a country ruled by law.

Only a handful of people, all of them in the former President's inner circle, have refused to obey the subpoenas. Their baseless claims that they are immune have been rejected by the actual President, by Congress, and by the courts. These entitled few have refused to honor Congress' subpoenas, just like they rejected the results of the election, because they believe they are above the law. They are not.

That is why it is so important that we pass this rule and the underlying bill and hold those in defiance of these subpoenas in contempt, because their conduct is not just unlawful and unpatriotic, it is contemptible.

Our Constitution, not any person, is what makes our country great. Nobody is above the law, and certainly nobody is above the Constitution.

Madam Speaker, I strongly support the rule and its underlying legislation, and I urge all my colleagues who truly love the country more than performative antics to do the same.

Mr. RESCIENTHALER. Madam Speaker, I yield myself such time as I may consume.

My good friend from Maryland was talking about some case law. I will talk case law all day. Here are three real fast:

*Quinn v. United States*. The Supreme Court said that Congress cannot issue a subpoena for law enforcement purpose.

*Watkins v. United States*. Congress has no authority to issue a subpoena to

compel exposure for the sake of exposure.

*McGrain v. Daugherty*. Congress may not issue a subpoena in an attempt to try someone before a committee for any crime of wrongdoing.

I have ample case law up here that will show, at the very best, for my friends across the aisle that case law is unsettled, but it is very likely on the side of Mr. Scavino and Mr. Navarro.

Madam Speaker, I yield to the gentlewoman from New Mexico (Ms. HERRELL) for the purpose of a unanimous consent request.

Ms. HERRELL. Madam Speaker, I rise to ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore (Ms. JACKSON LEE). The Chair would advise that all time has been yielded for the purpose of debate.

Does the gentleman from Maryland yield for purposes of this unanimous consent?

Mr. RASKIN. No, I don't yield for that purpose, which is an extraneous and irrelevant distraction from the resolution. All time yielded is for the purposes of debate only.

The SPEAKER pro tempore. The gentleman from Maryland does not yield; therefore, the unanimous consent request cannot be entertained.

Mr. RESCIENTHALER. Madam Speaker, I yield to the gentleman from Illinois (Mr. BOST) for the purpose of a unanimous consent request.

Mr. BOST. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCIENTHALER. Madam Speaker, I yield to the gentleman from Florida (Mr. RUTHERFORD) for the purpose of a unanimous consent request.

Mr. RUTHERFORD. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCIENTHALER. Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. JOYCE) for the purpose of a unanimous consent request.

Mr. JOYCE of Pennsylvania. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCIENTHALER. Madam Speaker, I yield to the gentleman from

Mr. GROTHMAN. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

Mr. RESCENTHALER. Madam Speaker, I yield to the gentleman from

Mr. BABIN. Madam Speaker, I ask unanimous consent to call up H.R. 471.



the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Texas (Mr. NEHLS) for the purpose of a unanimous consent request.

Mr. NEHLS. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from New York (Mr. GARBARINO) for the purpose of a unanimous consent request.

Mr. GARBARINO. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Texas (Mr. WILLIAMS) for the purpose of a unanimous consent request.

Mr. WILLIAMS of Texas. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from New York (Ms. MALLIOTAKIS) for the purpose of a unanimous consent request.

Ms. MALLIOTAKIS. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentlewoman from Florida (Ms. SALAZAR) for the purpose of a unanimous consent request.

Ms. SALAZAR. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Florida (Mr. POSEY) for the purpose of a unanimous consent request.

Mr. POSEY. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Ohio (Mr. LATTA) for the purpose of a unanimous consent request.

Mr. LATTA. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from North Carolina (Mr. BISHOP) for the purpose of a unanimous consent request.

Mr. BISHOP of North Carolina. Madam Speaker, I request unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Tennessee (Mr. BURCHETT) for the purpose of a unanimous consent request.

Mr. BURCHETT. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Texas (Mr. ROY) for the purpose of a unanimous consent request.

Mr. ROY. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from Kansas (Mr. ESTES) for the purpose of a unanimous consent request.

Mr. ESTES. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield to the gentleman from

California (Mr. MCCARTHY), the Republican leader, for the purpose of a unanimous consent request.

Mr. MCCARTHY. Madam Speaker, I ask unanimous consent to call up H.R. 471, the PAUSE Act, to protect all Americans from Biden's border crisis.

The SPEAKER pro tempore. The Chair understands that the gentleman from Maryland has not yielded for that purpose; therefore, the unanimous consent request cannot be entertained.

Mr. RESCENTIALER. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the Republican leader.

Mr. MCCARTHY. Madam Speaker, two wrongs don't make a right.

Let me be clear: the riot on January 6 was wrong. Any violence on that day should be punished, as I have said before.

But make no mistake: the Democrats' response is also wrong.

For 15 months, Democrats have used January 6 as a blank check to trample on civil rights and congressional norms.

They broke every rule, violated every norm, bullied every skeptic simply to hold on to power.

Let's be honest: this is a political show trial.

The committee has sent hundreds of subpoenas to private citizens for phone records, bank records, and private communications.

To those who invoked their right to due process, Chairman THOMPSON replied, "... you are part and parcel guilty to what occurred."

What a disgusting betrayal of the Constitution and the Bill of Rights.

But think for a second about what Chairman THOMPSON is saying. If you question his authority, if you disobey his demands, then you are a criminal and you should be punished.

Congresswoman LURIA, who is also on the select committee agrees. Last week, she criticized Attorney General Garland for not putting her political opponents in jail fast enough. She told Garland, "... do your job so we can do ours."

I am sure some Members got real excited by that.

Democrats are using the power of the Federal Government to jail their political opponents and threatening the Attorney General for not doing it fast enough.

In their twisted view, this agreement is immoral. Dissent is a crime. And they are to be obeyed without question.

Today's resolution is also about criminalizing dissent.

I can pause, Mr. Speaker, if he needs to listen more.

Mr. RASKIN. I am sorry?

Mr. MCCARTHY. I was going to tell Mr. Speaker if the House is not in order, and you need to listen to staff, I can pause.

Mr. RASKIN. Are you yielding?

Mr. MCCARTHY. No. I said to Mr. Speaker, the House is not in order.

There was no yielding. Your staff is continuing to communicate.

I think if I am speaking, the House should be in order. I don't know if that is a criminal offense, too.

Mr. RASKIN. You have not been heckled by any of our Members, while I was heckled by—

Mr. MCCARTHY. Mr. Speaker, I have the time. You have the gavel.

The SPEAKER pro tempore (Mr. COURTNEY). The gentleman from California is recognized.

Mr. MCCARTHY. Mr. Speaker, the House is not in order. He has not been recognized.

The SPEAKER pro tempore. The House will be in order. The gentleman from California is recognized.

Mr. MCCARTHY. Mr. Speaker, for the House to be in order, should people be in their seats, or should people be talking?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MCCARTHY. Mr. Speaker, the House is not in order. People are standing and talking.

The SPEAKER pro tempore. The House will be in order. The gentleman from California is recognized.

Mr. MCCARTHY. Mr. Speaker, today's resolution is about criminalizing dissent.

Democrats are threatening to throw in jail a good man who has done nothing but attempt to follow the law simply because he is President Trump's closest aid.

Mr. Scavino does not deserve that.

He tried to cooperate with the select committee's requests. He sent timely letters to the committee to clarify the vague scope of the requested testimony.

He even offered to answer the committee's questions in writing, which the committee's rules allow for, so he could balance cooperation with fair concerns about executive privilege.

But the committee rejected every compromise. It is their way or no way.

It took them 2 months to reply to Mr. Scavino's letter, then another 6 weeks. Then they rushed to hold him in contempt.

They also demanded the right to ask any question they wanted, including on topics that have nothing to do with protecting the Capitol, like the 25th Amendment.

Even if you agree that the select committee has a legislative purpose, the fact is that purpose is not unlimited.

The committee must identify a specific nexus between its legislative purpose and the information it wants. But it never identified the nexus for the information it was seeking from Mr. Scavino.

And I bet it won't identify that nexus today either. Why? Because the nexus does not exist.

Without it, their subpoena is invalid.

Congressional oversight is supposed to inform the legislative process and must have a valid legislative purpose.

It is not there so the swamp can bully its political enemies.

Let's be honest. Mr. Scavino never acted like he was above the law, and anyone who says otherwise is wrong. If anyone has acted like they are above the law, it is the Select Committee.

Mr. Speaker, as I said earlier, two wrongs don't make a right.

The riot on January 6 was wrong, but Democrats' reaction to trample American civil liberties is also wrong.

Do we really want to live in a country where politicians can seize your phone records, compel your testimony, and ignore your rights because they disagree with your politics?

Most Americans don't want to live in a country like that.

That happens in Russia, in Communist China, in North Korea. It should never happen in America.

But, Mr. Speaker, under one-party rule, it is. But to all Americans, when we take back the House, it will stop.

□ 1415

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

More than 800 Americans have come to testify before our committee, the minority leader should be notified before he leaves the Chamber. Four of them have categorically refused and blown off the subpoenas of the U.S. House of Representatives.

The minority leader attacks our committee as partisan and political, as some of his colleagues do. Well, we are a bipartisan committee with a Democratic chair and Republican vice chair.

But today, the minority leader gave the game away as he boiled over with rage toward our committee. He gave the game away. He is very upset that the former chair of the House Republican Conference has been telling the truth about Donald Trump's big lie, his incitement of violent insurrection, and the attack on American constitutional democracy.

And that is why he is in the very embarrassing position of having supported, offered, and pressed for an independent, 9/11-style commission about the January 6 attack. And as the minority leader, he asked for five Republicans and five Democrats. He asked for equal subpoena power on both sides, equal staff on both sides.

And Chairman THOMPSON, who now chairs the January 6th Select Committee and chairs the Homeland Security Committee, he agreed to it. A lot of Democrats were upset about that. They said, we are in the majority. Why should we agree to have everything 50/50, right down the middle? But he agreed, and the Democrats agreed, because that is what the Republicans offered.

Great. We were going to have a 9/11-style independent commission.

And then you know what happened? You know who vetoed it? The fourth branch of government, Donald Trump, who some of their Members slavishly report to like sycophants.

And Donald Trump said he didn't want any investigation into the attack on this body, the Congress of the United States. He didn't want any investigation at all.

And you know what the minority leader did? He walked it back. They pulled the plug on the independent commission, and that is why we ended up with the January 6th Select Committee in the House of Representatives, which the Speaker has made sure is bipartisan and has operated, in my experience, Mr. Speaker, as the most bipartisan committee I have ever been on.

Why? Because we don't spend an hour at the beginning of each meeting with a bunch of empty partisan gimmicks and stunts; the kind we just saw, wasting the taxpayers' money and time; 20 minutes of that nonsense going nowhere; at the same time that there is an actual hearing taking place in Cannon 310, right now, by the Committee on Homeland Security, on the question of the border.

But instead of attending the hearing, I counted at least five or six different Members who were in that conga line. I will be interested to know whether they are even going to go to the hearing afterwards. Instead, they come and participate in that empty, absurd ritual, wasting the time of this body.

But the minority leader comes here and, amazingly, attacks our committee, when he sabotaged his own idea. But this committee is closing in on the truth, and that is why we get all these circus antics and all the attempts to distract the American people.

Mr. Speaker, if I had been dealt the hand that my friend from Pennsylvania has been dealt today, as a lawyer, as a Member of Congress, I suppose I would have done everything in my power to distract the House of Representatives also from the business at hand.

We have two people who are flagrantly, brazenly defying the authority of the House of Representatives of the United States in order to avoid coming here to tell the truth. They are acting in contempt of Congress, and we must hold them in contempt of Congress because of that.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume.

To my colleague from Maryland, I will argue this case any day of the week, and I think that, ultimately, this will be resolved by the courts. I have got stacks, like I said, of case law to support my argument.

But to call what you just saw absurd, or a waste of time, I don't think the American people think it is absurd to care about the crisis at our southern border; the amount of illegal immigrants coming across the border; the amount of fentanyl that is coming across the border that is literally killing people in the interior.

Let's look at some numbers on this. Just last week, the CBP confirmed



more than 300,000 illegal immigrants evaded Border Patrol, just in the last 6 months alone.

Alarming, Border Patrol warned that the Biden border crisis is already worsening in anticipation of the administration's rollback of title 42.

You just heard 68 Republicans, plus the Republican leader, request to consider legislation that will provide for stringent enforcement of title 42, which allows illegal immigrants to be quickly expelled from the United States.

But clearly, House Democrats aren't concerned about the biggest migration crisis our Nation has ever faced. So let's try this another way.

If we defeat the previous question, I will personally offer an amendment to the rule to immediately consider H.R. 471, the PAUSE Act of 2021.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD, along with any extraneous material, immediately prior to the vote for the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RESCHENTHALER. Mr. Speaker, here to explain the amendment is the bill's author. I yield 3 minutes to the gentleman from New Mexico (Ms. HERRELL), my good friend.

Ms. HERRELL. Mr. Speaker, I rise to oppose the previous question so that we can immediately consider my bill, H.R. 471, the PAUSE Act, which prevents the introduction of new COVID cases, as well as other infectious diseases, from our land and sea borders with Canada and Mexico.

This was the very first bill I introduced when I came to Congress, and recent events have proved it to be the most important ever.

Just this week, The New York Times warned readers to prepare for a new wave of COVID. We also can prepare for a new wave of migrants, about 18,000 a day, when they take title 42 away.

The Biden administration has consistently advocated mandates, masking, lockdowns, and other extreme measures on our American citizens. Yet, they ignore the single biggest danger for the new wave of COVID to ravage America: unvetted, untested illegal aliens who are allowed to flood our southern border, unhindered.

The Biden border crisis has exploded after 1 year under this President. His administration demonizes the men and women of Border Patrol and ICE, refuses to enforce immigration law or enhance border security, and allows hundreds of thousands of illegal immigrants to disappear into the mainland without vetting.

There were 165,000 encounters at our southern border in February, and we are on track to hit 2 million in fiscal year 2022.

Despite this clear and present danger to the people of the United States and the integrity of our borders, the Biden

administration still seeks to throw away the few tools available to fix the situation, like remain in Mexico and title 42.

Title 42 has been an effective containment and mitigation strategy, resulting in the reduced introduction of COVID-19 into the U.S. from outside our borders, by making it easier to turn away illegal aliens traveling from or through countries with continuing COVID cases.

My PAUSE Act would keep title 42 in place until: All State and Federal mandates, requirements, and limitations related to COVID end; all public health emergencies for COVID are over; and the Centers for Disease Control and Prevention reduces the traveler health risk level for Canada and Mexico to level 1, which they are currently level 3.

Eliminating title 42 at this point is reckless and harmful to our national security and our communities. It will lead to more illegal immigration, more drugs, and more hardship on everyday Americans.

I urge my colleagues to support the PAUSE Act, preserve title 42, and stand up to protect both the health and borders of the American people.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

I wanted to go back to something else that the minority leader said in echo of the minority floor leader's points.

They cling to the suggestion that there is no valid legislative purpose being conducted by the January 6th Select Committee; and they also say it is unlawfully composed.

Well, that has been rejected by several courts. In fact, all of the arguments that they are making have been rejected by the courts. I don't think they have won a single case in court yet.

But check out *Budowich v. Pelosi* with Judge Boasberg, or *Eastman v. Thompson*, where these courts said, not only is there a valid legislative purpose, but this is the quintessential legislative purpose; that is, guaranteeing the preservation of democratic self-government. If it is not a valid legislative purpose to investigate violent attacks, insurrections, and attempted coups against the government of the United States, then what is a valid purpose? The courts have said, the courts have got that right. They have written opinions.

I guess we are going to have to send a copy to the minority leader because he is apparently oblivious to it.

But even without the courts slapping down everything they are saying over there, just think about it. Would they really want to say that if there are violent attacks taking place against the Capitol we can't investigate it?

The Eastman decision also rejected the claim that we are somehow unlawfully composed.

I have got to say something on behalf of Representative LIZ CHENEY, who I

probably disagree with on 90 percent of the issues we vote on here. But she was just maligned and castigated by the minority leader in an utterly unfair way.

She has operated with nothing but patriotism for this country and constitutional patriotism for the rule of law and the processes that define us. And they can overthrow her as the head of their caucus because she doesn't bow down on the altar of Donald Trump and Vladimir Putin the way that the gentlewoman from Georgia was heckling me does. And they can attack her because she thinks for herself and doesn't act like a cult member.

But we won't do that, even though we disagree with her on a lot of issues, but she is a constitutional patriot, and I feel she is owed an apology.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCHENTHALER. Mr. Speaker, I yield myself such time as I may consume.

Ben Shapiro says the "facts don't care about your feelings," and they don't. And I will say this: The case law doesn't care about what your political position is.

So if you want to talk about more case law, how about *Trump v. Thompson*, 2022, Justice Kavanaugh ruled: "A former President must be able to successfully invoke the Presidential communications privilege for communications that occurred during his Presidency, even if the current President does not support the privilege claim."

I have got more and more case law that I could produce. But let's just go back to the fact that this select committee is a partisan political hit job. If this really had a legitimate legislative function, then let me ask you this: Where are the subpoenas for the former House Sergeant at Arms and the former head of the D.C. National Guard? We haven't seen those subpoenas.

What about questions and subpoenas that are designed to elicit information about why this Capitol was left unprepared and how to prevent it from happening again? That would be a legitimate legislative function.

What we are seeing is this committee masquerading as if it is some kind of grand jury, which is wholly inappropriate and a violation of the separation of powers.

Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Texas (Mr. ROY), to talk more about this.

Mr. ROY. Mr. Speaker, I thank my friend from Pennsylvania for yielding.

Mr. Speaker, I rise in opposition to the previous question. The gentleman from Maryland, my friend, raised some issues about saying that we are wasting time when we have stunts, he called them, I think, or I am paraphrasing.

So here I am, and I am going to be talking about an important issue which, I assume, might be labeled as a

stunt, to say that I oppose the previous question because there is something for me that is so critical and so existential to the people I represent in the State of Texas and to the people across this country, which is the decision by the CDC, in conjunction with the Department of Homeland Security Secretary, and the President of the United States, to end title 42 enforcement on the border of the United States.

Now, our mutual colleague and friend who was in the chair, and the Speaker from Texas, Ms. JACKSON LEE, who is on the Judiciary Committee, raised the issue about the imminent harm that may befall us because of the continued and new strains of COVID in April.

Well, if that is true, why would the CDC say that we should stop enforcement of title 42 at our border?

We have 8,000 people a day coming across the border of the United States and being apprehended; 8,000. Half of those are being turned away under title 42. The estimates by Border Patrol experts are that those numbers will swell to over 10,000, maybe as high as 15 to 18,000, when you get to the summer months.

And when that happens, and you stop enforcing title 42, then all of those individuals will be released into the United States.

□ 1430

That is a major problem because it is not just the numbers themselves; it is the consequences. When Border Patrol is processing individuals because of the failed policies of the administration, it means that you have, as we saw last year, half a million people who were known got-aways because Border Patrol is now at the locations to process individuals.

Then you have known got-aways, which means you have massive numbers of people coming here with criminal records from places all over the world, 150 to 160 countries, including dangerous individuals from known terrorist states.

The point here is that we have legislation for this body, the people's House, to require title 42 to be enforced. YVETTE HERRELL, my colleague from New Mexico, introduced that last February. I filed a discharge petition for that bill last April because, for the people watching at home, the Speaker of the House controls the floor, and my Democratic colleagues control the floor. The only way we have power to change that is through a discharge petition. We have 211 signatures. We have all Republicans, I think save maybe one, who have signed the discharge petition.

We are asking our Democratic colleagues to join us in defense of the United States to call up this discharge petition so we can have a debate on title 42 and securing the border of the United States, which is what that conga line was all about: trying to protect our country.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before the gentleman goes, I want to tell the gentleman from Texas that I would never accuse him of performing a stunt. I was referring to the people who should have been in the Homeland Security Committee hearing actually dealing with the issue they profess to be talking about here on the floor under completely different auspices.

Let me go back to the questions offered by my distinguished friend from Pennsylvania who said, well, if they really did have a valid legislative purpose, as all these courts are saying, then they would be talking to the former Sergeant at Arms—well, we have—and we would be talking to the National Guard—we have.

Somebody is going to have to dust off the talking points over on that side because we have heard from more than 800 people who were involved.

This has nothing to do with any kind of ideological witch hunt; this has to do with an assault on American democratic institutions.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCENTIALER. Mr. Speaker, I yield 3½ minutes to the gentleman from Florida (Mrs. CAMMACK).

Mrs. CAMMACK. Mr. Speaker, I am here today to rise in support of ordering the previous question on Congresswoman HERRELL's bill, the SHIELD Act, that would stop the Biden administration from ending title 42, the very necessary public health order used by CBP officials at the southwest border.

Since President Biden took office in January of last year, Customs and Border Protection have encountered over 2 million illegal immigrants at the southern border. This number is more than at any other time during the Trump administration and still continues to astonish those of us who have actually visited the border to see what is happening there.

Unlike the trafficker in chief, who would rather retreat to his beach house in Delaware than face the American people, or the so-called border czar, who visited El Paso once and figured that that was good enough, I myself have been to the border three times to see this crisis for myself. In fact, over 70 percent of my Republican colleagues have been to see the tragic crisis unfolding there.

As a member of the Homeland Security Committee, I have followed this issue from the very beginning and have feared the very day when title 42 would be rescinded for political purposes.

Speaking of political purposes, I find it exceptionally hypocritical that this very Chamber is still utilizing proxy voting under the guise of a public health concern. In fact, on March 29, the Speaker extended proxy voting through May 14 of this year because of "the ongoing public health crisis."

It is curious that the Speaker doesn't seem to think that our own border being overrun by 2 million undocumented people has no bearing on the

safety of the general American public, but a Congress of 435 Members with an 80 percent vaccination rate seems to qualify for an "ongoing public health crisis." That, to me, screams hypocrisy.

Furthermore, there are Members of this Chamber who have been voting "present" via proxy. The hypocrisy and the irony are not lost on me nor the American people, Mr. Speaker.

Additionally, every single one of my colleagues who decided to show up here today had to wear a mask to get on a plane. That mandate is still in place due to the ongoing public health crisis.

Mr. Speaker, we have two very clear instances here in this Chamber where the "ongoing public health crisis" is used as a justification for policy decisions. Why not the safety, then, for all Americans and our communities across this country by securing the border? Why not uphold and keep title 42 in place?

If you have ever spoken to a CBP officer or a Border Patrol agent, they will tell you that title 42 is necessary, that ending it will send even more people to the southern border. It is a magnet.

Ending it will prolong the crisis. It will grow the crisis. It will once and for all put an end to national security as we know it.

Take it from the wife of a first responder who deals with this crisis every single day. I have had dozens of Border Patrol agents text and call me the last few days, begging for help to hold the line on title 42. They have said: Please, Congress, hold the line on title 42. It must be protected because it is the only policy in place currently that, in the slightest, will slow this surge that we have watched grow before our eyes.

If you stand with our Border Patrol agents, if you stand with the American people, if you give a damn about our communities, then you will support the SHIELD Act.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. RASKIN. Mr. Speaker, I reserve the balance of my time.

Mr. RESCENTIALER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. KATKO), the ranking member of the Homeland Security Committee.

Mr. KATKO. Mr. Speaker, I rise today in opposition to the previous question and in support of H.R. 471, the Protecting Americans from Unnecessary Spread upon Entry from COVID-19 Act, the PAUSE Act.

This week, I joined Leader MCCARTHY and several of my colleagues at a meeting with the National Border Patrol Council, representatives of 18,000 members of the Border Patrol, to discuss the crisis at the southern border.

Just as we predicted, the number of daily border encounters has been trending dramatically upward since

President Biden took office in 2021. The administration has created an untenable situation from which it may take several years, at a minimum, to recover.

The irresponsible decision to roll back Title 42, the Public Health and Welfare authority; the halting of border wall construction; the lack of support for frontline law enforcement personnel; the undermining of the Migrant Protection Protocols; and the total absence of a long-term border security plan of any sort have only made matters worse.

The U.S. Customs and Border Protection is now seeing over 7,000 encounters daily, and the Department of Homeland Security is said to be bracing for a significant mass influx of nearly 18,000 migrants daily when title 42 ends. That is absolutely an untenable situation.

As the U.S. finally gets a handle on managing the spread of new variants and moves steadily toward a post-pandemic recovery, now is not the time to end the use of title 42 and jeopardize all that progress, especially as numerous countries continue to struggle with the rapid spread of COVID-19 and strengthening variants.

The very purpose of title 42 is to prevent the introduction of dangerous communicable diseases into American communities. We should be doubling down on protecting our communities and economy from these threats, not weakening them.

Our border security and immigration system cannot handle any more pull factors, as the Biden administration has proven unwilling to secure our southern border. As we are witnessing, the administration continues to strip every tool for managing the border crisis away from frontline law enforcement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCENTIALER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New York.

Mr. KATKO. Mr. Speaker, transnational criminal organizations and drug cartels are taking full advantage by highlighting the weak border security posture of the administration while profiting from this crisis. The administration continues to roll back commonsense border security measures, thereby feeding into a false narrative for would-be migrants and encouraging them to come to the United States to seek asylum.

Many migrants who make this dangerous journey to the United States will not be eligible under the Federal law for asylum, forcing them to seek other ways to enter the United States.

We know for a fact that cartels control who crosses the U.S.-Mexico border. They charge migrants exorbitant fees knowing that some will never be able to repay, leading many of the migrants with only one option: to work off their fees.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. RESCENTIALER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from New York.

Mr. KATKO. Mr. Speaker, this work often leads them into a trafficking situation here in the United States.

Drugs, such as fentanyl, methamphetamine, and other fentanyl-laced drugs, are pouring across the southern border and destroying our communities and ending the lives of thousands of Americans every year. This year alone, for the first time, more than 100,000 Americans died of drug overdoses. That is directly related to the border. It has to stop.

I appreciate the focus of my colleagues on this critical homeland security issue, especially my colleague from New Mexico, who knows firsthand the impact the border crisis is having on our communities.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before the gentleman leaves, I want to say a word about the distinguished gentleman from New York. We are all blessed to have Mr. KATKO as a colleague. He is a brilliant lawyer and a man of exceptional character and honor.

He was the one who had been tasked by the minority leader to negotiate with the majority about creating an independent commission to investigate the assault on American democracy that took place on January 6. He was given very specific instructions, and he came back a winner. He had gotten an agreement for five Republicans and five Democrats, equal subpoena power right down the middle.

Alas for his caucus, alas for this Congress, alas for the country, the leadership pulled the rug out from beneath him.

We are going to be very sorry to see Mr. KATKO leave Congress at the end of this session. We will all be impoverished by his absence.

Mr. Speaker, I reserve the balance of my time.

Mr. RESCENTIALER. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, behold the nonpartisan nature of the January 6th Committee. It puzzles me why it would have been so different had the allegedly bipartisan commission been approved.

In fact, in the January 6th Committee's markup on the contempt resolutions, the grand inquisitor said, in opening: "I can say confidently that the many involved in the run-up to January 6, an oath, a statement of fidelity to our democracy, was nothing more to them than meaningless words. I fear what happens if those people are again given the reins of power." This sums up the purpose of the January 6 inquisition in a way that is both cogent and terrifying.

What the January 6th Committee lacks in bona fide legislative purpose, not patina of legislative purpose but bona fide legislative purpose, it makes

up for in pure political vendetta. This investigation isn't about truth or democracy; it is a pure political power play.

The immediate target is President Trump, but the ultimate target is those people—namely, the millions of Americans—who voted for President Trump.

Why is there no dissent from this objective on this committee? Well, because the only Members nominally representative of the minority, chosen by the majority Speaker over the objection of the minority, share the political objectives of the grand inquisitor.

Accordingly, LIZ CHENEY said during the January 6th Committee markup of these contempt resolutions: "Our committee will continue to litigate to obtain the testimony we need." What need? To inform what legislative purpose does the committee need to obtain the RNC's contributor data and information, to discover who opened its emails and clicked through to donation pages?

On the other hand, it could serve her purpose to demonize her political opponents, especially those who donate to President Trump.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RESCENTIALER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from North Carolina.

Mr. BISHOP of North Carolina. Mr. Speaker, it is common for the zealot to lose the capacity for irony. Hence, Chairman THOMPSON says that laws prohibit doing politics on the clock: "It is important that taxpayer dollars don't support political activity."

Ms. CHENEY waves the Constitution even while she poses as the designee of the minority, imposed on the minority in a historically unprecedented trampling of the institutional norms. This is a kangaroo court, a court of the star chamber.

They continue to trample the concepts and the institutional norms of the Congress, and I am certain that the American people will have an answer for it very soon.

Mr. RESCENTIALER. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, the people of the United States deserve to know the truth. With all the ranting of my friends across the aisle, the Constitution indicates that this Nation was formed to create a more perfect Union.

□ 1445

There were those who incited January 6. There were those who surrounded President Trump who did nothing to stop the violence and terrorism of January 6. If witnesses come before a duly authorized bipartisan committee and refuse to provide the American people with the truth, then we need to stand here and provide them with a contempt order so that the truth can be found.

Mr. Speaker, I ask my colleagues to join me in voting for this contempt order for the truth for the American people and the sanctity of the Constitution.

Mr. RESCHENTHALER. Mr. Speaker, I just want to check if there are any further speakers that my friend from across the aisle has.

Mr. RASKIN. Mr. Speaker, I have no further speakers.

Mr. RESCHENTHALER. Mr. Speaker, at this time I have no further speakers, and I yield myself the balance of my time.

Mr. Speaker, in closing, I consider the gentleman across the aisle a friend, and it is certainly an honor and a privilege to debate law with him given the fact that he is a renowned constitutional law expert. I mean that sincerely. It is fun being up here with the gentleman. So knowing that he has the last word, I do just have to cite one more case for my good friend.

I just keep going back to the Trump v. Thompson where Justice Kavanaugh said that there are only two very narrow exceptions to this privilege. Number one, which can be found in *United States v. Nixon*, relates to a pending criminal trial. There is no pending criminal trial here. That exception is not applicable.

The second narrow exception is one found in *Senate Select Committee v. Nixon*. In there, it is whether the subpoenaed evidence is demonstrably critical to the responsible fulfillment of a committee's function. I am quoting the precedent here. That case law goes on to state that there are clear differences between Congress' legislative tasks and the responsibility of a grand jury.

He went on further to describe that Congress frequently legislates on the basis of conflicting information provided in its hearings all the time. So I would submit that that exception does not apply either. Reasonable minds can differ, but I am very confident that the case law here supports the case of Mr. Scavino.

With that said, the law notwithstanding, it seems that my friends across the aisle have proven time and time again that they don't care about the separation of powers, they don't care about the protection of our constitutional rights, and they don't even care about the rules of the House. They only do if those items fit a political narrative.

It is very clear to me that from the Select Committee to Investigate the January 6th Attack on the United States Capitol's treatment of Mr. Scavino and from the resolution before us today that they would prefer to keep up their political theater rather than conduct a legitimate congressional investigation.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and "no" on the rule, and I yield back the balance of my time.

Mr. RASKIN. Mr. Speaker, I do want to thank my friend from Pennsylvania.

Sometimes when I hear him in the committee, I think about another great Republican who served in the House of Representatives from Pennsylvania, Thaddeus Stevens. But today, my friend let me down a little bit because Thaddeus Stevens was a great enemy of insurrection and rebellion. He led the forces in this Congress who insisted upon accountability for the people who would dare wage war against the Congress of the United States and against the Union and the people who were all elected to serve and to represent.

Justice Kavanaugh, of course, was not ruling in the case that my good friend cited before. He was just opining. There was no ruling there. So that was one Justice's opinion.

My friend cuts me to the quick when he says that we don't care about the separation of powers. I think I am going to have to turn that insult around and say that they don't care about the separation of powers because the executive privilege of the Supreme Court has repeatedly held, going all the way back to 1953, in a case called the *United States v. Reynolds* that the executive privilege may be invoked only by the President of the United States.

And this President of the United States, who represents the Article II branch, has said he is not invoking it on behalf of Scavino or Navarro. He has rejected it.

The funny part is that the former President they talked about hasn't even shown up to try to invoke it. And what they are talking about doing could never be the subject of executive privilege anyway because it is political activity, which is a crime under the Hatch Act. It is criminal activity. It is a crime to engage in insurrection and coup.

How could executive privilege—even if you had a President who wanted nothing more than to try to drape the activities of Scavino and Navarro in executive privilege, how could that President ever prove that it applied? Navarro's job, for example, was the trade adviser. This has nothing to do with trade. He was engaged in trying to overthrow a Presidential election, as Judge Carter said last week.

Mr. Speaker, this is a matter of the utmost solemnity and seriousness to the American people. We are talking about the survival of American democratic government. For most of human history, people have lived under people like Vladimir Putin and Donald Trump, the kings, the queens, the dictators, the tyrants, and the bullies whom some people would want to flatter.

But we have something else going on here in America. We have got a project in democratic self-government. Lincoln knew how tenuous it was. He asked whether government of the people, by the people, and for the people shall last or shall perish from the Earth.

That is the question facing us, too. So let's deal with all the issues and

controversies we want. But couldn't we get together and all stand up for the institutions of the country?

We are doing that in our committee, which is bipartisan. I fear that sometimes we are moving into a Democratic/Republican caucus in Congress and a Trump caucus. There are those of us, like Ms. CHENEY, like Mr. KINZINGER, and like Mr. THOMPSON on the committee, who want to work together to get to the bottom of this and then to deal with the problems of the country. And then there are those, like the minority leader, who will follow the will of Donald Trump if he says he doesn't want any investigation at all.

I am sorry, Mr. Speaker, but that is where we are today. These two witnesses have acted with contempt towards Congress and the American people. We must hold them in contempt of Congress and the American people.

Mr. BURGESS. Mr. Speaker, this rule provides for consideration of yet another Contempt of Congress resolution that has no purpose other than to punish. If the January 6th Select Committee wanted to actually compel production of the documents and records they subpoenaed, they would instead be suing for civil enforcement. But that takes time, and there are only eight months left before these subpoenas expire.

Congressional Committees may conduct investigations in pursuit of a legislative purpose. I ask: What legislative purpose would be served by referring Peter Navarro and Daniel Scavino for criminal Contempt of Congress rather than suing for civil enforcement?

Additionally, the question of executive privilege is not legally settled. President Biden has stated he would not grant executive privilege regarding Mr. Scavino's testimony, but the Presidential Records Act governs presidential records, not the testimony of aides to former presidents. The committee also demanded ridiculous compliance timelines in requests to Mr. Scavino, further indicating a lack of willingness to undertake a legitimate and thorough investigation.

As we get closer to the end of the year, will the Select Committee go straight to recommending Contempt of Congress for every subpoenaed individual that requests accommodations or an extended timeline?

I urge a no vote on this misguided resolution.

The material previously referred to by Mr. RESCHENTHALER is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 1023

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution the House shall proceed to the consideration in the House of the bill (H.R. 471) to prohibit the Secretary of Health and Human Services from lessening the stringency of, and to prohibit the Secretary of Homeland Security from ceasing or lessening implementation of, the COVID-19 border health provisions through the end of the COVID-19 pandemic, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided

and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommend.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 471.

Mr. RASKIN. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute vote on adoption of the resolution, if ordered.

The vote was taken by electronic device, and there were—yeas 219, nays 206, not voting 4, as follows:

[Roll No. 116]

YEAS—219

Adams	Deutch	Levin (MI)
Aguilar	Dingell	Lieu
Allred	Doggett	Lofgren
Auchincloss	Doyle, Michael	Lowenthal
Axne	F.	Luria
Barragán	Escobar	Lynch
Bass	Eshoo	Malinowski
Beatty	Españillat	Maloney,
Bera	Evans	Carolyn B.
Beyer	Fletcher	Maloney, Sean
Bishop (GA)	Foster	Manning
Blumenauer	Frankel, Lois	Matsui
Blunt Rochester	Gallego	McBath
Bonamici	Garamendi	McCollum
Bourdeaux	Garcia (IL)	McEachin
Bowman	Garcia (TX)	McGovern
Boyle, Brendan	Golden	McNerney
F.	Gomez	Meeks
Brown (MD)	Gonzalez,	Meng
Brown (OH)	Vicente	Mfume
Brownley	Gottheimer	Moore (WI)
Bush	Green, Al (TX)	Morelle
Bustos	Grijalva	Moulton
Butterfield	Harder (CA)	Mrvan
Carbajal	Hayes	Murphy (FL)
Cárdenas	Higgins (NY)	Nadler
Carson	Himes	Napolitano
Carter (LA)	Horsford	Neal
Cartwright	Houlahan	Neguse
Case	Hoyer	Newman
Casten	Huffman	Norcross
Castro (TX)	Jackson Lee	O'Halleran
Cherfilus-	Jacobs (CA)	Ocasio-Cortez
McCormick	Jayapal	Omar
Chu	Jeffries	Pallone
Cicilline	Johnson (GA)	Panetta
Clark (MA)	Johnson (TX)	Pappas
Clarke (NY)	Jones	Pascarell
Cleaver	Kahele	Payne
Clyburn	Kaptur	Perlmutter
Cohen	Keating	Peters
Connolly	Kelly (IL)	Phillips
Cooper	Khanna	Pingree
Correa	Kildee	Pocan
Costa	Kilmer	Porter
Courtney	Kim (NJ)	Pressley
Craig	Kind	Price (NC)
Crist	Kirkpatrick	Quigley
Crow	Krishnamoorthi	Raskin
Cuellar	Kuster	Rice (NY)
David (KS)	Lamb	Ross
Davis, Danny K.	Langevin	Roybal-Allard
Dean	Larsen (WA)	Ruiz
DeFazio	Larson (CT)	Ruppersberger
DeGette	Lawrence	Rush
DeLauro	Lawson (FL)	Ryan
DelBene	Lee (CA)	Sánchez
Delgado	Lee (NV)	Sarbanes
Demings	Leger Fernandez	Scanlon
DeSaulnier	Levin (CA)	Schakowsky

Schiff  
Schneider  
Schrader  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (WA)  
Soto  
Spanberger  
Speier

Aderholt  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgett  
Calvert  
Cammack  
Carey  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Clyde  
Cole  
Comer  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs

Allen  
Castor (FL)

Stansbury  
Stanton  
Stevens  
Strickland  
Suzuki  
Swalwell  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan

NAYS—206

Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guthrie  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson  
Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson  
Jacobs (NY)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Katko  
Keller  
Kelly (MS)  
Kelly (PA)  
Kim (CA)  
Kinzinger  
Kustoff  
LaHood  
LaMalfa  
Lamborn  
Latta  
LaTurner  
Lesko  
Letlow  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Mace  
Malliotakis  
Mann  
Massie  
Mast  
McCarthy  
McCaul  
McClain  
McClintock  
Gaetz  
McHenry  
McKinley  
Meitman  
Meuser  
Miller (IL)

NOT VOTING—4

□ 1530

Messrs. JOHNSON of Ohio and FEENSTRA changed their vote from “yea” to “nay.”

Messrs. SCOTT of Virginia and RUSH changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Bass (Beyer)	Grijalva	Payne (Pallone)
Bowman (Evans)	(Stanton)	Peters (Jeffries)
Cárdenas (Soto)	Harder (CA)	Porter (Wexton)
Castro (TX)	(Correa)	Price (NC)
(Correa)	Huffman	(Butterfield)
Cawthorn (Gaetz)	(Stanton)	Roybal-Allard
Clark (MA)	Johnson (TX)	(Pallone)
(Blunt)	(Jeffries)	Schiff (Beyer)
Rochester)	Joyce (OH)	Scott, David
Comer	(Garbarino)	(Jeffries)
(Arrington)	Kahele (Mrvan)	Sires (Pallone)
Connolly	Kirkpatrick	Steube (Donalds)
(Wexton)	(Pallone)	Suozi (Beyer)
Cooper (Correa)	LaTurner (Mann)	Taylor (Jackson)
Crawford (Long)	Lawson (FL)	Wasserman
Crist (Soto)	(Evans)	Schultz (Soto)
Cuellar (Correa)	Mfume (Evans)	Watson Coleman
Doyle, Michael	Newman (Garcia	(Pallone)
F. (Evans)	(IL))	
Gomez (Soto)	Owens (Tennney)	

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RESCHENTHALER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 8, as follows:

[Roll No. 117]

YEAS—221

Adams	David (KS)	Kelly (IL)
Aguilar	Davis, Danny K.	Khanna
Allred	Dean	Kildee
Auchincloss	DeFazio	Kilmer
Axne	DeGette	Kim (NJ)
Barragán	DeLauro	Kind
Bass	DelBene	Kinzinger
Beatty	Delgado	Kirkpatrick
Bera	Demings	Krishnamoorthi
Beyer	DeSaulnier	Kuster
Bishop (GA)	Deutch	Lamb
Blumenauer	Dingell	Langevin
Blunt Rochester	Doggett	Larsen (WA)
Bonamici	Doyle, Michael	Larson (CT)
Bourdeaux	F.	Lawrence
Bowman	Escobar	Lawson (FL)
Boyle, Brendan	Eshoo	Lee (CA)
F.	Españillat	Lee (NV)
Brown (MD)	Evans	Leger Fernandez
Brown (OH)	Fletcher	Levin (CA)
Brownley	Foster	Levin (MI)
Bush	Frankel, Lois	Lieu
Bustos	Gallego	Lofgren
Butterfield	Garamendi	Lowenthal
Carbajal	Garcia (IL)	Luria
Cárdenas	Garcia (TX)	Lynch
Carson	Golden	Malinowski
Carter (LA)	Gomez	Maloney,
Cartwright	Gonzalez,	Carolyn B.
Case	Vicente	Maloney, Sean
Casten	Gottheimer	Manning
Castor (FL)	Green, Al (TX)	Matsui
Castro (TX)	Grijalva	McBath
Cheney	Harder (CA)	McCollum
Cherfilus-	Hayes	McEachin
McCormick	Higgins (NY)	McGovern
Chu	Himes	McNerney
Cicilline	Horsford	Meeks
Clark (MA)	Houlahan	Meng
Clarke (NY)	Hoyer	Mfume
Cleaver	Huffman	Moore (WI)
Clyburn	Jackson Lee	Morelle
Connolly	Jacobs (CA)	Moulton
Cooper	Jayapal	Mrvan
Correa	Jeffries	Murphy (FL)
Costa	Johnson (GA)	Nadler
Courtney	Johnson (TX)	Napolitano
Craig	Jones	Neal
Crist	Kahele	Neguse
Crow	Kaptur	Newman
Cuellar	Keating	Norcross

O'Halleran	Sánchez	Takano
Ocasio-Cortez	Sarbanes	Thompson (CA)
Omar	Scanlon	Thompson (MS)
Pallone	Schakowsky	Titus
Panetta	Schiff	Tlaib
Pappas	Schneider	Tonko
Pascarell	Schrader	Torres (CA)
Payne	Schrier	Torres (NY)
Perlmutter	Scott (VA)	Trahan
Peters	Scott, David	Trone
Phillips	Sewell	Underwood
Pingree	Sherman	Vargas
Pocan	Sherrill	Veasey
Porter	Sires	Velázquez
Pressley	Slotkin	Wasserman
Price (NC)	Smith (WA)	Schultz
Quigley	Soto	Waters
Raskin	Spanberger	Watson Coleman
Rice (NY)	Speier	Welch
Ross	Stansbury	Wexton
Roybal-Allard	Stanton	Wild
Ruiz	Stevens	Williams (GA)
Ruppersberger	Strickland	Wilson (FL)
Rush	Suozzi	Yarmuth
Ryan	Swalwell	

## NAYS—200

Aderholt	Gimenez	Miller-Meeks
Amodei	Gohmert	Moolenaar
Armstrong	Gonzales, Tony	Mooney
Arrington	Gonzalez (OH)	Moore (AL)
Babin	Good (VA)	Moore (UT)
Bacon	Gooden (TX)	Mullin
Baird	Gosar	Murphy (NC)
Balderson	Granger	Nehls
Banks	Graves (LA)	Newhouse
Barr	Graves (MO)	Norman
Bentz	Green (TN)	Obernolte
Bergman	Greene (GA)	Owens
Bice (OK)	Griffith	Palazzo
Biggs	Grothman	Palmer
Billrakis	Guthrie	Perry
Bishop (NC)	Harris	Pfleger
Boebert	Harshbarger	Posey
Bost	Hartzler	Reed
Brady	Hern	Reschenthaler
Brooks	Herrell	Rice (SC)
Buchanan	Herrera Beutler	Rodgers (WA)
Buck	Higgins (LA)	Rogers (AL)
Bucshon	Hill	Rogers (KY)
Budd	Hinson	Rose
Burchett	Hudson	Rosendale
Burgess	Huizenga	Rouzer
Calvert	Issa	Roy
Cammack	Jackson	Rutherford
Carey	Jacobs (NY)	Salazar
Carl	Johnson (LA)	Scalise
Carter (GA)	Johnson (OH)	Schweikert
Carter (TX)	Johnson (SD)	Scott, Austin
Cawthorn	Jordan	Sessions
Chabot	Joyce (OH)	Simpson
Cline	Joyce (PA)	Smith (MO)
Cloud	Katko	Smith (NE)
Clyde	Keller	Smith (NJ)
Cole	Kelly (MS)	Smucker
Comer	Kelly (PA)	Spartz
Crawford	Kim (CA)	Stauber
Curtis	Kustoff	Steel
Davidson	LaHood	Stefanik
Davis, Rodney	LaMalfa	Steil
DesJarlais	Lamborn	Steube
Diaz-Balart	Latta	Stewart
Donalds	LaTurner	Taylor
Duncan	Lesko	Tenney
Dunn	Letlow	Thompson (PA)
Ellzey	Long	Tiffany
Emmer	Loudermilk	Timmons
Estes	Lucas	Turner
Fallon	Luetkemeyer	Upton
Feenstra	Mace	Valadao
Ferguson	Malliotakis	Van Drew
Fischbach	Mann	Van Dwyne
Fitzgerald	Massie	Wagner
Fitzpatrick	Mast	Walberg
Fleischmann	McCarthy	Walorski
Foxx	McCaul	Waltz
Franklin, C.	McClain	Weber (TX)
Scott	McClintock	Webster (FL)
Fulcher	McHenry	Westerman
Gaetz	McKinley	Westerman
Gallagher	Meijer	Williams (TX)
Garbarino	Meuser	Wittman
Garcia (CA)	Miller (IL)	Womack
Gibbs	Miller (WV)	Zeldin

## NOT VOTING—8

Allen	Guest	Pence
Cohen	Hice (GA)	Wilson (SC)
Crenshaw	Hollingsworth	

□ 1542

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COHEN. Mr. Speaker, I was in a Helsinki Commission hearing. Had I been present, I would have voted "yea" on rollcall No. 117.

Stated against:

Mr. CRENSHAW. Mr. Speaker, I was unavoidably detained in a committee hearing and missed the final vote in the series. Had I been present, I would have voted "nay" on rollcall No. 117.

Mr. PENCE. Mr. Speaker, I was not recorded for roll call vote 117. Had I been present, I would have voted "nay" on rollcall No. 117.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Bass (Beyer)	Gomez (Soto)	Owens (Tenney)
Bowman (Evans)	Grijalva	Payne (Pallone)
Cárdenas (Soto)	(Stanton)	Peters (Jeffries)
Castro (TX)	Harder (CA)	Porter (Wexton)
(Correa)	(Correa)	Price (NC)
Cawthorn (Gaetz)	Huffman	(Butterfield)
Clark (MA)	(Stanton)	Roybal-Allard
(Blunt)	Johnson (TX)	(Pallone)
Rocheater)	(Jeffries)	Schiff (Beyer)
Comer	Joyce (OH)	Scott, David
(Arrington)	(Garbarino)	(Jeffries)
Connolly	Kahele (Mrvan)	Sires (Pallone)
(Wexton)	Kirkpatrick	Steube (Donalds)
Cooper (Correa)	(Pallone)	Suozzi (Beyer)
Crawford (Long)	Lawson (FL)	Taylor (Jackson)
Crist (Soto)	(Evans)	Wasserman
Cuellar (Correa)	Mfume (Evans)	Schultz (Soto)
Doyle, Michael	Newman (García	Watson Coleman
F. (Evans)	(IL))	(Pallone)

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Adrian Swann, one of his secretaries.

## PROVIDING FOR CONSIDERATION OF H.R. 3807, RESTAURANT REVITALIZATION FUND REPLENISHMENT ACT OF 2021, AND FOR OTHER PURPOSES

Mr. MORELLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1033 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 1033

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3807) to amend the American Rescue Plan Act of 2021 to increase appropriations to the Restaurant Revitalization Fund, and for other purposes. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-39, modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate

equally divided and controlled by the chair and ranking minority member of the Committee on Small Business or their respective designees; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. MORELLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Minnesota (Mrs. FISCHBACH), my colleague and friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

## GENERAL LEAVE

Mr. MORELLE. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MORELLE. Mr. Speaker, this morning the Rules Committee met and reported a rule, House Resolution 1033, providing for consideration of H.R. 3807, the Relief for Restaurants and other Hard Hit Small Businesses Act of 2022 under a closed rule.

The rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Small Business, self-executes a manager's amendment from Chairwoman VELÁZQUEZ, and provides one motion to recommit.

Mr. Speaker, I rise today to urge my colleagues to adopt the rule and support critical funding for restaurants and other small businesses across our Nation.

As we all know, small businesses—especially restaurants—are the backbone of our local economy. Not only for the revenue they bring in, but for the many local workers they employ; families that need their paycheck now more than ever. But sadly, restaurants have been some of the hardest-hit businesses throughout the COVID-19 crisis, and many have struggled to keep their doors open.

Many of us have made a promise to support workers, families, and businesses in their time of need, and that is why we established the Restaurant Revitalization Fund in the American Rescue Plan, which provided \$28.6 billion in emergency assistance to eligible restaurants, bars, and qualifying businesses impacted by the COVID crisis.

This program was clearly a success, providing relief to more than 100,000 restaurants and food and beverage businesses across the Nation. Some recent estimates show the program saved over 900,000 jobs, and 96 percent of recipients said the grant made it more likely they would stay in business.

However, there is no question that our initial investment was not enough. The program ran out of funds in just 3 weeks, as the total funding requested exceeded \$72 billion, far more than the \$28.6 billion provided for in the American Rescue Plan.